



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

February 6, 2017

PWS No. 3410033

Certified Mail Return/Receipt
No. 7009 2250 0004 3622 0383

Rick Bedal,
General Manager
Florin County Water District
P.O. Box 292055
7090 McComber Street
Sacramento, CA 95828

FLORIN COUNTY WATER DISTRICT PUBLIC WATER SYSTEM (PWS NO. 3410033) CITATION NO. 01_09_17C_003

Enclosed is a copy of the Division of Drinking Water Citation No. 01_09_17C_003 issued to the Florin County Water District public water system (PWS# 3410033). Please note there are certain deadlines associated with this Citation.

Any person who is aggrieved by an order or decision issued by the Deputy Director of the Division of Drinking Water under Article 8 (commencing with Health and Safety Code section 116625) or Article 9 (commencing with Health and Safety Code section 116650), of the Safe Drinking Water Act (Chapter 4, Part 12, Division 104, of the Health and Safety Code) may file a petition with the State Water Board for reconsideration of the order or decision. Attachment C to the enclosed citation contains the relevant statutory provisions for filing a petition for reconsideration. (Health and Safety Code section 116701)

Petitions must be received by the State Board within 30 days of the issuance of the order or decision by the Deputy Director. The date of issuance is the date when the Division of Drinking Water mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions, please feel free to contact me at (916) 445-5285 or via email at Ali.rezvani@waterboards.ca.gov, or contact Austin Peterson at (916) 341-5559 or via email at Austin.peterson@Waterboards.ca.gov.

Sincerely,



Ali R. Rezvani, P.E.,
Sacramento District Engineer
Division of Drinking Water
STATE WATER RESOURCES CONTROL BOARD

Enclosures

cc: Austin Peterson, P.E., Water Resources Control Engineer

Megan Floyd, REHS
Environmental Specialist
Environmental Management Department
10590 Armstrong Ave
Mather, CA 95655

STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Florin County Water District
7090 McComber Street
P.O. Box 292055
Sacramento, CA 95828

Attn: Rick Bedal, General Manager
Florin County Water District

CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS, TITLE
22, Division 4, Chapter 17.5, Article 3, SECTION 64675.5

WATER SYSTEM NO. 3410033

CITATION NO. 01_09_17C_003

Issued on February 6, 2017

Section 116650 of the California Health and Safety Code (CHSC) authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

In accordance with CHSC, Division 104, Part 12, Chapter 4, Article 1, Section 116271, the State Water Resources Control Board, acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division

(hereinafter "Deputy Director"), hereby issues a citation to the Florin County Water District public water system (hereinafter, Water System) (7090 McComber Street, Sacramento, CA 95828) for violation of California Code of Regulations (CCR), Title 22, Division 4, Chapter 17.5, Article 3, Section 64675.5.

APPLICABLE AUTHORITIES

CHSC, Division 104, Part 12, Chapter 4, Article 1, Section 116271 (k)(2) states:

(k)(2) The deputy director is delegated the State Water Resources Control Board's authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625) and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650).

CHSC, Division 104, Part 12, Chapter 4, Article 1, Section 116275 (b) & (ab) states:

(b) "Department" means the state board.

(ab) "State board" means the State Water Resources Control Board.

CHSC Division 104, Part 12, Chapter 4, Article 9, Section 116650 states:

(a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally

1 or by certified mail. Service shall be deemed effective as of the date of
2 personal service or the date of receipt of the certified mail. If a person to
3 whom a citation is directed refuses to accept delivery of the certified mail, the
4 date of service shall be deemed to be the date of mailing.

5 (b) Each citation shall be in writing and shall describe the nature of the violation
6 or violations, including a reference to the statutory provision, standard, order,
7 citation, permit, or regulation alleged to have been violated.

8 (c) A citation may specify a date for elimination or correction of the condition
9 constituting the violation.

10 (d) A citation may include the assessment of a penalty as specified in subdivision
11 (e).

12 (e) The department may assess a penalty in an amount not to exceed one
13 thousand dollars (\$1,000) per day for each day that a violation occurred, and
14 for each day that a violation continues to occur. A separate penalty may be
15 assessed for each violation.

16
17 **CHSC Division 104, Part 12, Chapter 4, Article 9, Section 116655 states:**

18 (a) Whenever the state board determines that any person has violated or is
19 violating this chapter, or any order, permit, regulation, or standard issued or
20 adopted pursuant to this chapter, the state board may issue an order doing
21 any of the following:

22 (1) Directing compliance forthwith.

23 (2) Directing compliance in accordance with a time schedule set by the state
24 board.

25 (3) Directing that appropriate preventive action be taken in the case of a
26 threatened violation.

- 1 (b) An order issued pursuant to this section may include, but shall not be limited
2 to, any or all of the following requirements:
- 3 (1) That the existing plant, works, or system be repaired, altered, or added to.
 - 4 (2) That purification or treatment works be installed.
 - 5 (3) That the source of the water supply be changed.
 - 6 (4) That no additional service connection be made to the system.
 - 7 (5) That the water supply, the plant, or the system be monitored.
 - 8 (6) That a report on the condition and operation of the plant, works, system, or
9 water supply be submitted to the state board.
- 10

11 **CCR, Title 22, Division 4, Chapter 17.5, Article 3, Section 64675 states:**

- 12 (a) During each period, each system shall conduct standard tap sampling by
13 collecting one sample from the number of sites based on the number of people
14 served specified in table 64675-A under Standard Tap Sampling.
- 15

- 16 (b) During each period, each system conducting reduced tap sampling shall collect
17 at least one sample from the number of sites based on the number of people
18 served specified in table 64675-A under Reduced Tap Sampling, as follows:

- 19 (1) The sites shall be representative of the sites required for standard tap
20 sampling.

- 21 (2) The samples shall be collected during the months of June, July, August, or
22 September, unless the Department approves an alternate set of four
23 months based on a review of the system's operations and lead and copper
24 data, in which case the system shall initiate sampling during the alternate
25 set of four months when directed in writing to do so by the Department, as
26 follows:

- 27 (A) No later than 21 months after the previous period, if sampling annually, or

(B) No later than 45 months after the previous period, if sampling triennially.

**Table 64675-A
Lead and Copper Tap Sampling Sites**

System Size	Standard Tap Sampling (Minimum Number of Sites)	Reduced Tap Sampling
>100,000	100	50
10,001 to 100,000	60	30
3,301 to 10,000	40	20
501 to 3,300	20	10
101 to 500	10	5
<101	5	5

(c) Sample sites shall be selected pursuant to section 64676 (Sample Site Selection).

CCR, Title 22, Division 4, Chapter 17.5, Article 3, Section 64675.5 states:

- (a) A system shall conduct standard tap sampling for two consecutive periods; thereafter, tap sampling frequency may be reduced pursuant to section 64675 (General Requirements for Tap Sampling for Lead and Copper) as follows:
- (1) If a system has 90th percentile levels that do not exceed 0.005 mg/L for lead and 0.65 mg/L for copper for two consecutive periods, it may reduce the sampling to once every three years at the reduced number of sites;
- (2) For systems that do not meet the criteria in paragraph (1), after two consecutive periods with no action level exceedance, the frequency may be reduced to annually at the reduced number of sites, if the system receives written approval from the Department based on its review of the system's data. After sampling for three years (including the initial sampling year) with no action level exceedance, the frequency may be reduced to once every three years at the reduced number of sites, if the system receives written approval from the Department.

1 (b) If a system demonstrates for two consecutive periods that the difference
2 between the 90th percentile tap sampling lead level and the highest source
3 water monitoring result for each period is less than the reporting level for
4 purposes of reporting (DLR), pursuant to subsections 64678(a), (b), and (c) or
5 that the source water lead levels are below the method detection level of 0.001
6 mg/L and the 90th percentile lead level is equal to or less than the DLR for
7 each period, the system shall conduct tap sampling once every three years.
8

9 **CCR, Title 22, Division 4, Chapter 17.5, Article 3, Section 64677 states:**

10 (a) All tap samples for lead and copper collected pursuant to this chapter, with the
11 exception of lead service line samples collected under section 64689 (Lead
12 Service Line Sampling) and samples collected under subsection (d), shall be
13 first-draw samples, pursuant to subsection (b).
14

15 (b) A first-draw sample shall be one liter in volume and have stood motionless in
16 the plumbing system of each site for at least six hours, but not more than
17 twelve. Samples from residential housing shall be collected from the cold-
18 water kitchen tap or bathroom sink tap. Samples from a non-residential
19 building shall be collected at an interior tap from which water is typically drawn
20 for consumption. Samples may be collected by the system or the system may
21 allow residents to collect tap samples after instructing the residents of the
22 sampling procedures specified in this section. To avoid problems of residents
23 handling nitric acid, acidification of samples may be done up to 14 days after
24 collection. After acidification to resolubilize the metals, the sample shall stand
25 in the original container for the time specified by the method used pursuant to
26 section 64670(c) before it can be analyzed. If a system allows residents to

perform sampling, the system may not challenge, based on alleged errors in sample collection, the accuracy of sampling results.

(c) A system shall collect each tap sample from the same site from which it collected a sample during the previous period. If the system cannot gain entry to a site in order to collect a tap sample, it may collect the tap sample from another site in its sampling pool as long as the new site meets the same criteria, and is as close as possible to the original site.

(d) A system that does not have enough taps to supply first-draw samples may apply to the Department in writing to substitute non-first-draw samples. Such systems shall collect as many first-draw samples as possible and identify sampling times and locations that would likely result in the longest standing time for the remaining sites.

CCR, Title 22, Division 4, Chapter 17.5, Article 9, Section 64690.1 in relevant part states:

Each system shall report the following within the first 10 days after the end of each period during which such sampling or monitoring was conducted:

(a) For lead and copper tap sampling:

- (1) The results of all tap samples including the location of each site and the associated tier criteria from section 64676 (Sample Site Selection);
- (2) The 90th percentile lead and copper concentrations calculated pursuant to section 64678 (Determination of Exceedances of Lead and Copper Action Levels); and

(3) With the exception of the first period of tap sampling, an identification of any site that was not sampled during previous periods, along with an explanation of why the sampling site was changed;

CCR, Title 22, Division 4, Chapter 15, Article 18, Section 64463.4 in relevant part states:

(a) A water system shall give public notice pursuant to this section if any of the following occurs:

(3) Other violations of the monitoring and testing procedure requirements in this chapter, and chapters 15.5, 17 and 17.5, for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations; or

STATEMENT OF FACTS

The Water System is classified as a community water system. The Water System serves a reported population of 7,652. The Water System has completed seven rounds of monitoring for lead and copper in the distribution system with no exceedances of the lead and copper action levels of 0.015 milligrams per liter (mg/L) and 1.3 mg/L, respectively. Past monitoring for lead and copper in the distribution system is summarized in the table below.

Round	Date	# of Samples		90 th % Lead, mg/L		90 th % Copper, mg/L	
		Required	Collected	Result	AL	Result	AL
1	12/1992	40	40	0.002	0.015	0.098	1.3
2	06/1993	40	40	0.002		0.078	
3	03/2007	40	48	ND		0.720	
4	08/2007	40	42	ND		0.110	
5	12/2009	40	40	0.003		0.088	
6	12/2010	40	42	ND		0.081	
7	09/2013	20	20	ND	▼	0.075	▼

1 In accordance with Section 64675.5(a)(2), Article 3, Chapter 17.5, Division 4, Title 22
2 of the CCR, the Water System is required to collect at least one set of twenty tap
3 water samples from the distribution system every three years for lead and copper
4 monitoring. The Water System collected a set of twenty tap water samples during
5 September 2013. According to Division records, the Water System has failed to
6 perform any monitoring for lead and copper in the distribution system since
7 September 2013.

8 9 **DETERMINATIONS**

10
11 The Division has determined that the Water System violated Sections 64675 and
12 64675.5, Article 3, Chapter 17.5, Division 4, Title 22 of the CCR, in that the Water
13 System failed to perform the required tap water monitoring for lead and copper in the
14 distribution system.

15 16 **DIRECTIVES**

17
18 The Water System is hereby directed to take the following actions:

- 19
20 1. Comply with Sections 64675 and 64675.5, Article 3, Chapter 17.5, Division 4,
21 Title 22 of the CCR in all future monitoring periods.
22
23 2. In accordance with Section 64675, Article 3, Chapter 17.5, Division 4, Title 22
24 of the CCR, collect a set of twenty tap water samples for lead and copper
25 monitoring in the distribution system in accordance with monitoring procedures,
26 as described in Section 64677, Article 3, Chapter 17.5, Division 4, Title 22 of
27 the CCR, by no later than **June 30, 2017**.

1
2 3. In accordance with Section 64463.4, Article 18, Chapter 15, Division 4, Title 22
3 of the CCR, by no later than **February 28, 2017**, the Water System shall
4 provide public notification for the lead and copper monitoring and reporting
5 violations that has occurred since 2013:

6 a. By mail or hand delivery of the notice contained in Attachment A to each
7 person served by the Water System.

8 And

9 b. By publication of the notice contained in Attachment A in a local
10 newspaper or by posting Attachment A in a conspicuous public place
11 served by the Water System or on the internet.

12 Any proposed changes to the language or format of the public notice contained
13 in Attachment A shall be approved by the Division.
14

15 4. Within 10 days of providing public notification, send this office a copy of your
16 notification, a description of the methods used, and a signed statement that
17 indicates the date the notification was provided by the District. Completing and
18 returning the attached "CERTIFICATION OF COMPLETION OF PUBLIC
19 NOTIFICATION" form fulfills this requirement (Attachment B).
20

21 The Division reserves the right to make such modifications to this Citation as it may
22 deem necessary to protect public health and safety. Such modifications may be
23 issued as amendments to this Citation, and shall be deemed effective upon issuance.
24

25 Nothing in this Citation relieves Water System of its obligation to meet the
26 requirements of the California Safe Drinking Water Act, or of any regulation, permit,
27 standard, or order issued or adopted thereunder.

1
2 All submittals required by this Citation shall be submitted to the Division at the
3 following address:

4
5 Ali R. Rezvani, P.E.
6 Sacramento District Engineer
7 Division of Drinking Water
8 State Water Resources Control Board
9 1001 I Street, 17th Floor
10 Sacramento, CA 95814

11 **PARTIES BOUND**

12
13 This Citation shall apply to and be binding upon the Water System, its officers,
14 directors, shareholders, agents, employees, contractors, successors, and assignees.

15 **SEVERABILITY**

16
17 The Directives of this Citation are severable, and the Water System shall comply with
18 each and every provision thereof, notwithstanding the effectiveness of any other
19 provision.

20
21 **FURTHER ENFORCEMENT ACTION**

22
23 The California SDWA authorizes the Division to: issue citation with assessment of
24 administrative penalties to a public water system for violation or continued violation of
25 the requirements of the California SDWA or any permit, regulation, permit or order
26 issued or adopted thereunder including, but not limited to, failure to correct a violation
27 identified in a citation or compliance order. The California SDWA also authorizes the
28 Division to take action to suspend or revoke a permit that has been issued to a public
29 water system if the system has violated applicable law or regulations or has failed to

1 comply with an order of the Division; and to petition the superior court to take various
2 enforcement measures against a public water system that has failed to comply with
3 violates an order of the Division. The Division does not waive any further enforcement
4 action by issuance of this citation.

5
6
7
8
9
10
11 February 6, 2017
12 Date

13 Ali R. Rezvani
14 Ali R. Rezvani, P.E.,
15 Sacramento District Engineer
16 Division of Drinking Water
17 State Water Resources Control Board



18
19
20
21 **Attachments:**

- 22
23 A. Public Notification Template
24 B. Proof of Notification Form
25 C. CHSC, Division 104, Part 12, Chapter 4, Article 10, Section 116701
26

27 Certified Mail No. 7009 2250 0004 3622 0383

28 cc: County of Sacramento, Department of Environmental Health

Florin County Water District (PWS No. 3410033)

Citation No. 01_09_17C-002

February 6, 2017

ATTACHMENT A:

PUBLIC NOTIFICATION TEMPLATE

Instructions for Tier 2 Lead And Copper Rule Monitoring Template

Template Attached

Since failure to monitor is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [California Code of Regulations, Title 22, Division 4, Chapter 15, Article 18, Section 64463.4(b)]. **Each water system required to give public notice must submit the notice to the State Water Resources Control Board, Division of Drinking Water (DDW) for approval prior to distribution or posting, unless otherwise directed by the DDW [64463(b)].**

Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.4(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting ^(b) in conspicuous public places served by the water system or on the Internet
		Delivery to community organizations
Non-Community Water System [64463.4(c)(2)]	Posting in conspicuous locations throughout the area served by the water system ^(b)	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting ^(b) on the Internet or intranet
		Direct delivery to each customer

(a) Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects and notification language in italics unchanged. This language is mandatory [64465].

Multilingual Requirement

The notice must (1) be provided in English, Spanish, and the language spoken by any non-English-speaking group exceeding 10 percent of the persons served by the water

system and (2) include a telephone number or address where such individuals may contact the water system for assistance.

If any non-English-speaking group exceeds 1,000 persons served by the water system but does not exceed 10 percent served, the notice must (1) include information in the appropriate language(s) regarding the importance of the notice and (2) contain the telephone number or address where such individuals may contact the water system to obtain a translated copy of the notice from the water system or assistance in the appropriate language.

Population Served

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

Description of the Violation

Every three years, the water system is required to conduct standard tap sampling for lead and copper by collecting one sample from twenty sites located throughout the water system. These water quality samples have been collected in the past and have been below the action level mandated by the State. These samples were to be taken in 2016; however, the water system failed to collect the required samples.

Corrective Action

In your notice, describe corrective actions you have taken. Listed below are some steps commonly taken by water systems with lead and copper monitoring violations. Use the following action, if appropriate, or develop your own:

- "We have plans to complete the Lead and Copper Rule monitoring by June 30, 2017."

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the DDW within ten days after you issue the notice [64469(d)].

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

Florin County Water District Failure to complete Lead and Copper Rule Monitoring in 2016

Our water system recently violated a drinking water monitoring standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We routinely monitor for Lead and Copper Rule once every three years. We are required to collect 20 water samples to test for the concentration of lead and copper during 2016. We failed to complete this monitoring during 2016.

What should I do?

- **You do not need to boil your water or take other corrective actions.**
- This is not an emergency. If it had been, you would have been notified immediately. Lead and copper in drinking water are generally not harmful at levels below Maximum Contaminant Levels.
- During all previous monitoring cycles, the lead and copper levels in the water system distribution system were below the United States Environmental Protection Agency (U.S. EPA) Action levels.
- Toddlers and children may be at risk. Parents of infants and children can seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of lead and copper in drinking water are available from U.S. EPA's Safe Drinking Water Hotline at 1(800) 426-4791.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What was done?

[Describe corrective action].

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in

apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).
- **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including nursing homes and care facilities): Must notify tenants.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees of businesses located on the property.

This notice is being sent to you by the Florin County Water District.

State Water System ID#: 3410033. Date distributed: _____.

Florin County Water District (PWS No. 3410033)

Citation No. 01_09_17C-002

February 6, 2017

ATTACHMENT B:

PROOF OF NOTIFICATION FORM

PROOF OF NOTIFICATION**Citation No. 01_09_17C_003****Name of Water System: Florin County Water District****Public System Number: 3410033****Certification**

As required by Section 116450 of the California Health and Safety Code, we notified the users of the water supplied by the Florin County Water District public water system of the monitoring violation of the Lead and Copper Rule during 2016. We complied with Citation No. 01_09_17C_003 as indicated below:

Required Action	Date Completed
Public Notification – Daily Newspaper Notice	<input type="text"/>
Public Notification – Mail or Hand Delivery	<input type="text"/>
_____ Signature of Water System Representative	_____ Date

Please attach a copy of the notice as published in the daily newspaper within the areas served by the system.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.

ATTACHMENT C:

CHSC, Division 104, Part 12, Chapter 4, Article 10, Section 116701

Attachment C

§116701. Petitions to Orders and Decisions.

- (a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.
- (b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.
- (c) The evidence before the state board shall consist of the record before the deputy director and any other relevant evidence that, in the judgment of the state board, should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence.
- (d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The state board's action pursuant to this subdivision shall constitute the state board's completion of its reconsideration.
- (e) The state board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision of the deputy director.
- (f) If an order of the deputy director is subject to reconsideration under this section, the filing of a petition for reconsideration is an administrative remedy that must be exhausted before filing a petition for writ of mandate under Section 116625 or 116700.